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OFFICE OF PETITIONS

In re Application of :
Glock :
Application No. 10/771,914 :
Filed: February 4, 2004 :
Attorney Docket No. HPBC C-95A :
For: SYSTEM FOR ACTIVATING A :
WEAPON WITH AN IDENTIFICATION :
MECHANISM

ON PETITION

This is a decision on the petition under 37 CFR 1.181, filed February 22, 2008, requesting that the Office withdraw the holding of abandonment of the above-identified application.

The petition under 37 CFR 1.181 is **GRANTED**.

This application was held abandoned for failure to respond in a timely manner to the final Office action, mailed June 20, 2007, which set forth an extendable three (3) month period for reply. The Office contended that this application became abandoned on September 21, 2007 for failure to reply to the June 20, 2007 final Office action. A Notice of Abandonment was mailed on December 27, 2007.

Petitioner requests withdrawal of the holding of abandonment based on the assertion that a request for a three month extension of time and a Notice of Appeal were timely filed on certificate of mailing date December 20, 2007 and received in the Office on December 26, 2007. The undersigned finds this argument completely convincing, as these documents are present in the application file and Office financial records show that the required three month extension of time fee and the required Notice of Appeal fee were charged on accounting date December 27, 2007. The mailroom date for the payments was December 26, 2007. Therefore, the three month extension of time and the Notice of Appeal were timely filed.

The petition under 37 CFR 1.181 is **granted**, the holding of abandonment is withdrawn, and the December 27, 2007 Notice of Abandonment is **vacated**. No petition fee has been or will be charged in connection with this matter.

The application file will be forwarded to Technology Center A.U. 3641 to await receipt of an Appeal Brief.

Telephone inquiries pertaining to this matter may be directed to the undersigned at (571) 272-3230.

Shirene Willis Brantley

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for Patent Examination Policy